

**IN THE UNITED STATES BANKRUPTCY COURT,
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

**IN RE: Valerie Frances Tolson,
Pro Se**

FILED
UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS

MAR 06 2023

**JEFFREY P. ALLSTEADT, CLERK
INTAKE 1**

) **Chapter 13**
)
) **Case No. 18-13351**
)
) **Adversary Proceeding Number**
) _____
)
) **Judge: Jacqueline P. Cox**

**PRO SE' DEBTOR'S ADVERSARY COMPLAINT
TO REMOVE STUDENT LOAN CREDITORS FROM CHAPTER 13 PLAN**

Now comes Valerie Tolson, Pro Se' Debtor in the above entitled case and moves this Honorable Court remove all claims for student loan debt and servicers of said debt, Naviant Solutions, Illinois State Assistance Commission, Ascendium Education Solutions, and Education Credit Management Corporation (ECMC) from Pro Se Debtor's Chapter 13 Plan and in support thereof states as follows:

1. That Debtor filed for Chapter 13 relief on May 7, 2018.
2. The 60 month plan was confirmed on November 19, 2018.
3. That Debtor has attended all court proceedings that she has been made aware.
4. That all Plan payments are current (58 of 60 as of March 6, 2023).
5. That Debtor attended Keller Graduate School of Management, and secured student loan debt through the Federal Family Education Loan Program, or FFELP, to cover the cost of attendance.
6. That Debtor submitted a Borrower Defense to Repayment discharge application relating to student loans on or before June 22, 2022, and attended a school listed on the attached list of schools "A Guide To The Sweet Settlement" as part of the settlement agreement documents.
7. That Debtor is a member of the "automatic discharge" group, in the *Sweet v. Cardona*, No. 3:19-cv-3674 (N.D. Cal.) and is eligible for settlement relief, as ordered in the February 25, 2023 ruling by Judge William Alsup, and as confirmed in the attached February 28, 2023 Email from the U.S. Department of Education.

SAN FRANCISCO [February 25, 2023] – Late last night, Judge William Alsup denied the motion to stay implementation of settlement relief in the borrower defense lawsuit Sweet v. Cardona. With this order, full settlement relief granted to class members may now proceed, . . .

8. Based on the ruling, the approved settlement would automatically cancel more than \$6 billion in federal student loans for over 200,000 class members . . . where the Department of Education will:
 - a. Discharge debtor's federal student loans taken out for enrollment in the Keller Graduate School of Management ("Relevant Federal Student Loan(s)");
 - b. Provide a refund for any payments made to the Department of Education on Debtor's Relevant Federal Student Loan(s), including Relevant Federal Student Loan debt that was previously paid off; and
 - c. Delete the credit report tradeline associated with the discharged loan(s)
9. Furthermore, Navient appears on Debtors list of claims, but is reporting a \$0.00 balance at the Naviant Account Summary (see attached), which was confirmed by phone (888-272-5543). The loans were paid off by the Illinois Student Assistance Commission (ISAC - 800-899-4722) on 10/02/2018 (see attached).
10. The Illinois Student Assistance Commission (ISAC) no longer has the student loan records, nor the system to manage student loans., having transferred the student loan function to the Education Credit Management Corp (ECMC - 800-367-1589). ECMC appears as unsecured debt on Pro Se Debtor's Chapter 13 Plan. Ascedium is listed as a servicer at Debtor's My.Aid website profile.
11. Because Naviant and ISAC are no longer reporting a balance in any accounts for Debtor, Debtor is requesting this court remove, Naviant and Illinois Student Assistance Commission from Debtor's plan, and remove E.C.M.C., as a result of the findings in the Sweet vs. Cardona law suit.
12. That all creditors and parties in interest have been provided with notice of this complaint.

WHEREFORE, the Pro Se' Debtor respectfully requests that this Honorable Court enter an Order authorizing the removal of all claims related to student loan debt and for such other relief as this court deems proper.

Respectfully submitted,


Valerie Frances Tolson

Prepared by:
Valerie Frances Tolson, Pro Se'
5302 South Cornell, #2, Chicago, Illinois, 60615
(773) 344-6850

CERTIFICATE OF SERVICE

I certify that the debtor has caused a copy of this notice to be delivered to the parties listed on the Mailing List below, by depositing it in the U.S. Mail as to those parties so designated to receive notice by mailing at 211 South Clark, Chicago, Illinois, 60603 on March 6, 2023.

Navient
P.O. Box 9533
Wilkes-Barre, PA 18773-9533

Illinois Student Assistance Corporation
500 West. Monroe, 3rd Floor
Springfield, IL 62704

E.C.M.C. – Education Credit Management Corporation
PO Box 16408
St. Paul, MM 55116-0408

Ascendium Education Solutions
PO Box 7859
Madison, WI. 53707

Respectfully submitted,


Valerie Frances Tolson

Prepared by:
Valerie Frances Tolson, Pro Se
5302 South Cornell, #2
Chicago, Illinois,

Approval of Your Borrower Defense Case Under Exhibit C of the Sweet v. Cardona Settlement

U.S. Department of Education <noreply@studentaid.gov>

Tue 2/28/2023 12:26 PM

To: vftolsoninc@msn.com <vftolsoninc@msn.com>

[Click here to view this email as a web page.](#)



February 28, 2023

Borrower Defense Application #: 01445667

Borrower Defense Application School: Keller Graduate School of Management

Approval of Your Borrower Defense Case Under Exhibit C of the *Sweet v. Cardona* Settlement

Dear Valerie:

You are receiving this letter because you are a member of the class of federal student loan borrowers covered by the recent settlement of the *Sweet v. Cardona* ("Sweet") lawsuit. You submitted a Borrower Defense to Repayment discharge application relating to your federal student loan(s) on or before June 22, 2022, and you attended a school listed on Exhibit C ("School") of the settlement agreement.

Pursuant to the *Sweet* settlement, the Department of Education will do the following:

- discharge your federal student loan(s) taken out for your enrollment in the Keller Graduate School of Management ("Relevant Federal Student Loan(s)");
- provide a refund for any payments made to the Department of Education on your Relevant Federal Student Loan(s), including Relevant Federal Student Loan debt that you previously paid off; and
- delete the credit report tradeline associated with the discharged loan(s).

The benefits described in this message apply to your Relevant Federal Student Loan(s). The benefits do not apply to private loans. The discharge of your Relevant Federal Student Loan(s) means that you will no longer owe the debt.

You also may receive a refund for prior payments made to the Department on your discharged loan(s) related to Keller Graduate School of Management. Your loan servicer will let you know if you are eligible for a payment refund, which would be mailed to you. Please check your online account with your loan servicer to ensure your address is correct so you can receive any refund.

Other than confirming your address, you do not have to take any further action to receive your discharge. Your servicer will send you more details about the discharge, including which loans will be forgiven. Your Relevant Federal Student Loan debt will remain in forbearance and collections will be stopped until you receive relief. Your credit report will also be updated to reflect this discharge when it is complete.

If you have questions about this notice, please call our borrower defense hotline at 1-855-279-6207 from 8:00-8:00 ET on Monday-Friday or from 11:00-5:00 ET on Saturday or Sunday.

Sincerely,



Richard Cordray
Chief Operating Officer
Federal Student Aid

Federal Student Aid
AN OFFICE of the U.S. DEPARTMENT of EDUCATION

830 First Street, NE, Washington, D.C. 20002
[StudentAid.gov/borrower-defense](https://studentaid.gov/borrower-defense)

A GUIDE TO THE SWEET SETTLEMENT

AI Collins Graphic Design School	Center for Employment Training	Kaplan College	Ross University School of Medicine
All-State Career School	Chamberlain University	Katharine Gibbs School	Ross University School of Veterinary Medicine
Allentown Business School	Charlotte School of Law	Keiser University	Salter College
American Career College	Chicago School of Professional Psychology	Keller Graduate School of Management	Sanford-Brown College
American Career Institute	CollegeAmerica	Kitchen Academy	Sanford-Brown Institute
American College for Medical Careers	Collins College	La' James College of Hairstyling	School of Computer Technology
American Commercial College	Colorado Technical University	La' James International College	Scottsdale Culinary Institute
American InterContinental University	Computer Systems Institute	Le Cordon Bleu	South University
American National University	Concorde Career College	Le Cordon Bleu College of Culinary Arts	Southern California School of Culinary Arts
American University of the Caribbean	Concorde Career Institute	Le Cordon Bleu Institute of Culinary Arts	Southern Technical College
Anamarc College	Cooking and Hospitality Institute of Chicago	Lehigh Valley College	Star Career Academy
Anthem College	Court Reporting Institute	Lincoln College of Technology	Stevens-Henager
Anthem Institute	Court Reporting Institute of St Louis	Lincoln Technical Institute	Suburban Technical School
Argosy University	Daymar College	Marinello School of Beauty	Sullivan and Cogliano Training Centers
Arizona Summit Law School	DeVry College of Technology	McCann School of Business & Technology	Texas Culinary Academy
Art Institute (The)	Devry Institute of Technology	McIntosh College	Tucson College
Ashford University	DeVry University	Medtech College	Ultrasound Diagnostic Schools
ATI Career Training Center	Dorsey College	Miami International University of Art & Design	United Education Institute
ATI College of Health	Empire Beauty School	Miami-Jacobs Career College	University of Phoenix
ATI Technical Training Center	Everglades University	Micropower Career Institute	University of the Rockies
Bauder College	FastTrain	Miller Motte Business College	Vatterott College
Beckfield College	Florida Career College	Miller-Motte College	Virginia College
Berkeley College	Florida Coastal School of Law	Miller-Motte Technical College	Walden University
Blue Cliff College	Florida Technical College	Minnesota School of Business	Washington Business School
Branford Hall Career Institute	Fortis College	Missouri College	Western Culinary Institute
Briarcliffe College	Fortis Institute	Mount Washington College	Western International University
Brightwood Career Institute	Gibbs College	National University College	Western School of Health and Business Careers
Brightwood College	Globe University	New England College of Business and Finance	Western State University College of Law
Brooks College	Grand Canyon University	New England Institute of Art (The)	Westwood College
Brooks Institute	Gwinnett College	NUC University	Wilfred Academy
Brown College	Hallmark Institute of Photography	Orlando Culinary Academy	Wilfred Academy of Beauty Culture
Brown Institute	Harrington College of Design	Pennsylvania Culinary Institute	Wilfred Academy of Hair & Beauty Culture
Brown Mackie College	Harris School of Business	Pittsburgh Career Institute	Wright Business School
California College San Diego	Illinois Institute of Art (The)	Purdue University Global	Wright Career College
California Culinary Academy	Independence University	Radians College	
California School of Culinary Arts	Institute for Health Education (The)	Remington College	
Capella University	International Academy of Design and Technology	Robert Fiance Beauty Schools	
Career Point College	ITT Technical Institute	Robert Fiance Hair Design Institute	
Carrington College	Kaplan Career Institute	Robert Fiance Institute of Florida	

Do you have student loan interest to claim? Tax statements are available! Learn more >

NAVIENT



VALERIE TOLSON
Account Profile →

Log Out

All Loan Details As of 02/09/2023 (ET)

Loan

All Loans



Total Current Balance: \$0.00

All Loan Details

Loan *Frax*

Current Balance ▾	Interest Rate ▾	Due Date ▾
\$0.00	4.230%	No Due Date
\$0.00	4.230%	No Due Date
\$0.00	4.230%	No Due Date
\$0.00	4.230%	No Due Date
\$0.00	4.230%	No Due Date
\$0.00	4.230%	No Due Date
\$0.00	4.230%	No Due Date
\$0.00	4.230%	No Due Date
\$0.00	4.230%	No Due Date
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\$0.00	4.230%	No Due Date
\$0.00	4.230%	No Due Date
\$0.00	4.230%	No Due Date
\$0.00	4.230%	No Due Date
\$0.00	4.230%	No Due Date
\$0.00	4.230%	No Due Date
\$0.00	6.800%	No Due Date
\$0.00	6.800%	No Due Date
\$0.00	6.800%	No Due Date
\$0.00	6.800%	No Due Date
\$0.00	6.800%	No Due Date
\$0.00	6.800%	No Due Date

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NAVIENT

VALERIE TOLSON
Account Profile →

Log Out



Alerts



Profile



Learn



Account Summary



Make a Payment ▾



Auto Pay



Loan Details



Account History



Repayment Options



Inbox/Upload



Tools & Requests



Tax Statements



Help Center

Account Summary As of 02/09/2023 (ET)

\$0 Balance Loans ⓘ

Loan	Date	Status
1-01 Stafford - Subsidized	10/02/2018	Paid by ILLINOIS STUDENT ...
1-02 Stafford - Unsubsidized	10/02/2018	Paid by ILLINOIS STUDENT ...
1-03 Stafford - Unsubsidized	10/02/2018	Paid by ILLINOIS STUDENT ...
1-05 Stafford - Subsidized	10/02/2018	Paid by ILLINOIS STUDENT ...
1-06 Stafford - Unsubsidized	10/02/2018	Paid by ILLINOIS STUDENT ...
1-07 Stafford - Subsidized	10/02/2018	Paid by ILLINOIS STUDENT ...
1-08 Stafford - Unsubsidized	10/02/2018	Paid by ILLINOIS STUDENT ...
1-09 Stafford - Unsubsidized	10/02/2018	Paid by ILLINOIS STUDENT ...
1-10 Stafford - Subsidized	10/02/2018	Paid by ILLINOIS STUDENT ...
1-11 Stafford - Unsubsidized	10/02/2018	Paid by ILLINOIS STUDENT ...
1-12 Stafford - Subsidized	10/02/2018	Paid by ILLINOIS STUDENT ...
1-13 Stafford - Unsubsidized	10/02/2018	Paid by ILLINOIS STUDENT ...
1-14 Stafford - Subsidized	10/02/2018	Paid by ILLINOIS STUDENT ...
1-15 Stafford - Unsubsidized	10/02/2018	Paid by ILLINOIS STUDENT ...
1-16 Stafford - Unsubsidized	10/02/2018	Paid by ILLINOIS STUDENT ...
1-17 Stafford - Subsidized	10/02/2018	Paid by ILLINOIS STUDENT ...
1-18 Stafford - Unsubsidized	10/02/2018	Paid by ILLINOIS STUDENT ...
1-19 Stafford - Subsidized	10/02/2018	Paid by ILLINOIS STUDENT ...
1-20 Stafford - Unsubsidized	10/02/2018	Paid by ILLINOIS STUDENT ...
2-01 Stafford - Subsidized	08/29/2018	Paid by USA FUNDS
2-02 Stafford - Unsubsidized	08/29/2018	Paid by USA FUNDS
2-03 Stafford - Unsubsidized	08/29/2018	Paid by USA FUNDS
2-04 Stafford - Subsidized	08/29/2018	Paid by USA FUNDS
2-05 Stafford - Unsubsidized	08/29/2018	Paid by USA FUNDS
2-06 Stafford - Subsidized	08/29/2018	Paid by USA FUNDS

View all Loan Details →

Recent Payments ⓘ

Date ▾	Amount ▾	Status ▾	Coming From ▾
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No Recent Payments

View all Account History →

B1040 (FORM 1040) (12/15)

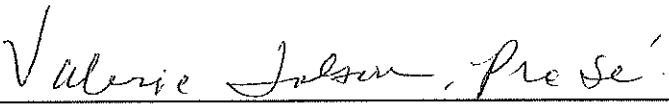
ADVERSARY PROCEEDING COVER SHEET (Instructions on Reverse)		ADVERSARY PROCEEDING NUMBER (Court Use Only)
PLAINTIFFS VALERIE FRANCES TOLSON	DEFENDANTS Navient; ECMC (Ed. Credit Mgmt. Corp.) IL Student Asst. Commission (ISAC)/Ascedium	
ATTORNEYS (Firm Name, Address, and Telephone No.) Valerie Tolson, Pro Se 5302 S. Cornell, Unit 2, Chicago, IL 60615	ATTORNEYS (If Known)	
PARTY (Check One Box Only) <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input type="checkbox"/> Creditor <input type="checkbox"/> Other <input type="checkbox"/> Trustee	PARTY (Check One Box Only) <input type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input checked="" type="checkbox"/> Creditor <input type="checkbox"/> Other <input type="checkbox"/> Trustee	
CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED) Discharge of Relevant Federal Student loans taken under the Sweet v. Cardona Settlement - Borrower Defense Application #01445667 (Keller Graduate School of Management)		
NATURE OF SUIT (Number up to five (5) boxes starting with lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc.)		
<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p>FRBP 7001(1) – Recovery of Money/Property</p> <p><input type="checkbox"/> 11-Recovery of money/property - §542 turnover of property</p> <p><input type="checkbox"/> 12-Recovery of money/property - §547 preference</p> <p><input type="checkbox"/> 13-Recovery of money/property - §548 fraudulent transfer</p> <p><input type="checkbox"/> 14-Recovery of money/property - other</p> <p>FRBP 7001(2) – Validity, Priority or Extent of Lien</p> <p><input type="checkbox"/> 21-Validity, priority or extent of lien or other interest in property</p> <p>FRBP 7001(3) – Approval of Sale of Property</p> <p><input type="checkbox"/> 31-Approval of sale of property of estate and of a co-owner - §363(h)</p> <p>FRBP 7001(4) – Objection/Revocation of Discharge</p> <p><input type="checkbox"/> 41-Objection / revocation of discharge - §727(c),(d),(e)</p> <p>FRBP 7001(5) – Revocation of Confirmation</p> <p><input type="checkbox"/> 51-Revocation of confirmation</p> <p>FRBP 7001(6) – Dischargeability</p> <p><input type="checkbox"/> 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims</p> <p><input type="checkbox"/> 62-Dischargeability - §523(a)(2), false pretenses, false representation, actual fraud</p> <p><input type="checkbox"/> 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny</p> <p style="text-align: center;">(continued next column)</p> </div> <div style="width: 48%;"> <p>FRBP 7001(6) – Dischargeability (continued)</p> <p><input type="checkbox"/> 61-Dischargeability - §523(a)(5), domestic support</p> <p><input type="checkbox"/> 68-Dischargeability - §523(a)(6), willful and malicious injury</p> <p><input checked="" type="checkbox"/> 63-Dischargeability - §523(a)(8), student loan</p> <p><input type="checkbox"/> 64-Dischargeability - §523(a)(15), divorce or separation obligation (other than domestic support)</p> <p><input type="checkbox"/> 65-Dischargeability - other</p> <p>FRBP 7001(7) – Injunctive Relief</p> <p><input type="checkbox"/> 71-Injunctive relief – imposition of stay</p> <p><input type="checkbox"/> 72-Injunctive relief – other</p> <p>FRBP 7001(8) Subordination of Claim or Interest</p> <p><input type="checkbox"/> 81-Subordination of claim or interest</p> <p>FRBP 7001(9) Declaratory Judgment</p> <p><input type="checkbox"/> 91-Declaratory judgment</p> <p>FRBP 7001(10) Determination of Removed Action</p> <p><input type="checkbox"/> 01-Determination of removed claim or cause</p> <p>Other</p> <p><input type="checkbox"/> SS-SIPA Case – 15 U.S.C. §§78aaa <i>et. seq.</i></p> <p><input type="checkbox"/> 02-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)</p> </div> </div>		
<input type="checkbox"/> Check if this case involves a substantive issue of state law		<input type="checkbox"/> Check if this is asserted to be a class action under FRCP 23
<input type="checkbox"/> Check if a jury trial is demanded in complaint		Demand \$ 200,515.88 scheduled; \$4,010.31 Principal Owed.
Other Relief Sought		

FILED
 UNITED STATES BANKRUPTCY COURT
 NORTHERN DISTRICT OF ILLINOIS

MAR 06 2023

JEFFREY P. ALLSTEADT, CLERK
 INTAKE 1

B1040 (FORM 1040) (12/15)

BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES		
NAME OF DEBTOR VALERIE FRANCES TOLSON		BANKRUPTCY CASE NO. 18-13351
DISTRICT IN WHICH CASE IS PENDING NORTHERN ILLINOIS	DIVISION OFFICE EASTERN	NAME OF JUDGE JACQUELINE COX
RELATED ADVERSARY PROCEEDING (IF ANY)		
PLAINTIFF	DEFENDANT	ADVERSARY PROCEEDING NO.
DISTRICT IN WHICH ADVERSARY IS PENDING	DIVISION OFFICE	NAME OF JUDGE
SIGNATURE OF ATTORNEY (OR PLAINTIFF)		
		
DATE March 6, 2023		PRINT NAME OF ATTORNEY (OR PLAINTIFF) Valerie Frances Tolson

INSTRUCTIONS

The filing of a bankruptcy case creates an "estate" under the jurisdiction of the bankruptcy court which consists of all of the property of the debtor, wherever that property is located. Because the bankruptcy estate is so extensive and the jurisdiction of the court so broad, there may be lawsuits over the property or property rights of the estate. There also may be lawsuits concerning the debtor's discharge. If such a lawsuit is filed in a bankruptcy court, it is called an adversary proceeding.

A party filing an adversary proceeding must also must complete and file Form 1040, the Adversary Proceeding Cover Sheet, unless the party files the adversary proceeding electronically through the court's Case Management/Electronic Case Filing system (CM/ECF). (CM/ECF captures the information on Form 1040 as part of the filing process.) When completed, the cover sheet summarizes basic information on the adversary proceeding. The clerk of court needs the information to process the adversary proceeding and prepare required statistical reports on court activity.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Bankruptcy Rules, or the local rules of court. The cover sheet, which is largely self-explanatory, must be completed by the plaintiff's attorney (or by the plaintiff if the plaintiff is not represented by an attorney). A separate cover sheet must be submitted to the clerk for each complaint filed.

Plaintiffs and Defendants. Give the names of the plaintiffs and defendants exactly as they appear on the complaint.

Attorneys. Give the names and addresses of the attorneys, if known.

Party. Check the most appropriate box in the first column for the plaintiffs and the second column for the defendants.

Demand. Enter the dollar amount being demanded in the complaint.

Signature. This cover sheet must be signed by the attorney of record in the box on the second page of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is pro se, that is, not represented by an attorney, the plaintiff must sign.